

10/826165

Saw

Page 1 of 2



Application Number	10/826,165	CERTIFICATE OF MAILING UNDER 37 CFR§1.8(a)
Filing Date	April 16, 2004	I hereby certify that this correspondence is being deposited with the United States Postal Service on <i>May 14, 2004</i> as first class mail addressed to:
First Named Inventor	Jiro KANIE	Mail Stop Missing Parts Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450
Art Unit		<i>Elizabeth A. VanAntwerp</i> Elizabeth A. VanAntwerp
Examiner Name		
Confirmation No.	Not Assigned	
Attorney Docket No.	889_001	

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COMPLETION OF FILING REQUIREMENTS — NONPROVISIONAL APPLICATION

Sir:

1. [] This replies to the Notice to File Missing Parts of Nonprovisional Application mailed

[] A copy of the Notice to File Missing Parts of Nonprovisional Application—Filing Date Grated is enclosed.

2. Declaration or Oath

- . [x] No Declaration or Oath was filed. Enclosed is the original Declaration or Oath for this application.

3. Transmittal of English Translation of Non-English Language Papers

[] Submitted herewith is an English translation of the non-English language application papers as originally filed. Also submitted herewith is a statement by the translator of the accuracy of the translation. It is requested that this translation be used as the copy for examination purposes in the PTO.

The English translation of the non-English language application consists of:

- ___ Page(s) Translation Statement
- ___ Page(s) of Specification
- ___ Page(s) of Claims
- ___ Page(s) of Abstract
- ___ Sheets of Formal Drawings

4. Other Papers Enclosed

- [] A Preliminary Amendment
- [] An Assignment and Assignment Transmittal
- [] A Submission of Certified Copy of Priority Document
- [] A Certified Copy of:
- [] An Information Disclosure Statement
- [] Form PTO-1449
- [] Copies of IDS Citations

00000011 10826165
365.00 00
65.00

05/20/2004 CCHM1
01 FC:2001
02 FC:2051

5. The filing fee has been calculated as shown below:

Basic Filing Fee (37 CFR §1.16(a))					\$ 770.00
CLAIMS	Number Filed	NUMBER EXTRA		RATE	
Total Claims	4- 20 =	0	x	\$ 18.00	
Indep. Claims	2 - 3 =	0	x	\$ 86.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+	\$ 290.00	

6. Surcharge Fees (37 CFR§1.16(e))

- late payment of filing fee and/or
 late filing of original declaration or oath

\$ 130.00

7. Extension of Time

- a. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

OR

- b. Applicant petitions for an extension of time, the fees for which are set out in 37 CFR §1.17(a)(1)-(4), for the total number of months checked below:

<input type="checkbox"/> One Month (37 CFR 1.17(a)(1))	\$ 110.00
<input type="checkbox"/> Two Months (37 CFR 1.17(a)(2))	\$ 420.00
<input type="checkbox"/> Three Months (37 CFR 1.17(a)(3))	\$ 950.00
<input type="checkbox"/> Four Months (37 CFR 1.17(a)(4))	\$1,480.00

TOTAL OF ABOVE CALCULATIONS = \$ 900.00**8. Small Entity Status**

- Applicant claims small entity status. See 37 CFR §1.27. The fees indicated above are reduced by 1/2.

\$ 450.00

SUBTOTAL OF ABOVE CALCULATIONS = \$ 450.00

- Fee for processing an application filed with a specification in a non-English language (37 CFR §1.17(i) and §1.52(d))

- Assignment Fee (37 CFR §1.21(h))

TOTAL FEES DUE = \$ 450.00**9. Payment of Fees and Authorization to Charge Additional Fees or Credit Overpayment**

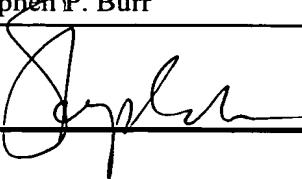
- A check in the amount of \$450.00 is enclosed.

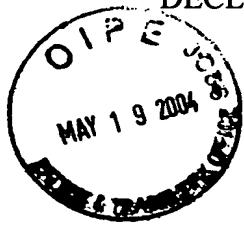
- Charge Deposit Account 50-1446 in the amount of \$ _____. Enclosed is a duplicate copy of this sheet.

- The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 50-1446:

- a. Fees required under 37 CFR 1.16.
b. Fees required under 37 CFR 1.17.

Submitted By:

Name	Stephen P. Burr	Reg. No.	32,970	Customer No.	025191
Signature		Telephone No.	(315) 233-8300	Facsimile No.	(315) 233-8320
	Date	<i>May 14, 2004</i>			



DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION
特許出願宣言書及び委任状

Japanese Language Declaration
日本語宣言書

私は、以下に記名された発明者として、ここに下記の通り宣言する：	As a below named inventor, I hereby declare that
私の住所、郵便の宛先そして国籍は、私の氏名の後に記載された通りである。	My residence, post office address and citizenship are as stated next to my name.
下記の名称の発明について、特許請求範囲に記載され、且つ特許が求められている発明主題に関して、私は、最初、最先且つ唯一の発明者である（唯一の氏名が記載されている場合）か、或いは最初、最先且つ共同発明者である（複数の氏名が記載されている場合）と信じている。	I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

ENTERAL NUTRITION PRODUCT AND METHOD FOR PREPARING THE SAME

上記発明の明細書はここに添付されているが、下記の欄がチェックされている場合は、この限りでない：	the specification of which is attached hereto unless the following box is checked:
<input type="checkbox"/> _____ の日に出願され、 この出願の米国出願番号またはPCT国際出願番号は、 _____ であり、且つ _____ の日に補正された出願（該当する場合）	<input checked="" type="checkbox"/> was filed on <u>April 16, 2004</u> as United States Application Number or PCT International Application Number <u>10/826,165</u> and was amended on _____ (if applicable).
私は、上記の補正書によって補正された、特許請求範囲を含む上記明細書を検討し、且つ内容を理解していることをここに表明する。	I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.
私は、連邦規則法典第37編規則1.56に定義されている、特許性について重要な情報を開示する義務があることを認める。	I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

Japanese Language Declaration
(日本語宣言書)

私は、ここに、以下に記載した外国での特許出願または発明者証の出願、或いは米国以外の少なくとも一国を指定している米国法典第35編第365条(a)によるPCT国際出願について、同第119条(a)-(d)項又は第365条(b)項に基づいて優先権を主張するとともに、優先権を主張する本出願の出願日よりも前の出願日を有する外国での特許出願または発明者証の出願、或いはPCT国際出願については、いかなる出願も、下記の枠内をチェックすることにより示した。

I hereby claim foreign priority under Title 35, United States Code, Section 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(c) of any PCT International application which designated at least one country other than the United States listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application for which priority is claimed.

Prior Foreign Application(s) 外国での先行出願	Priority Not Claimed 優先権主張なし
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2001-323124 (Number) (番号)	Japan (Country) (国名)	22 October 2001 Day/Month/Year Filed (出願日／月／年)	<input type="checkbox"/>
2002-108094 (Number) (番号)	Japan (Country) (国名)	10 April 2002 Day/Month/Year Filed (出願日／月／年)	<input type="checkbox"/>

私は、ここに、下記のいかなる米国仮特許出願についても、その米国法典第35編119条(e)項の利益を主張する。	I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below.
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(Application No.) (出願番号)	(Filing Date) (出願日)
(Application No.) (出願番号)	(Filing Date) (出願日)

私は、ここに、下記のいかなる米国出願についても、その米国法典第35編第120条に基づく利益を主張し、又米国を指定するいかなるPCT国際出願についても、その同第365条(c)に基づく利益を主張する。また、本出願の各特許請求の範囲の主題が、米国法典第35編第112条第1段に既定された態様で、先行する米国出願又はPCT国際出願に開示されていない場合においては、その先行出願の出願日と本国内出願日またはPCT国際出願との間の期間中に入手された情報で、連邦規則法典第37編規則1.56に定義された特許性に関わる重要な情報について開示義務があることを承認する。	I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) or 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code Section 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of the application.
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PCT/JP02/10704 (Application No.) (出願番号)	15 October 2002 (Filing Date) (出願日)	Pending (Status: Patented, Pending, Abandoned) (現況: 特許許可、係属中、放棄)
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(Application No.) (出願番号)	(Filing Date) (出願日)	(Status: Patented, Pending, Abandoned) (現況: 特許許可、係属中、放棄)
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私は、ここに表明された私自身の知識に係わる陳述が真実であり、且つ情報と信ずることに基づく陳述が、真実であると信じられることを宣言し、さらに、故意に虚偽の陳述などを行った場合は、米国法典第18編第1001条に基づき、罰金または拘禁、若しくはその両方により処罰され、またそのような故意による虚偽の陳述は、本出願またはそれに対して発行されるいかなる特許も、その有効性に問題が生ずることを理解した上で陳述が行われたことを、ここに宣言する。	I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statement may jeopardize the validity of the application or any patent thereon.
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Japanese Language Declaration (日本語宣言書)

唯一または第一発明者氏名	Full name of sole or first inventor Jiro KANIE		
発明者の署名	日付	Inventor's Signature 	Date 7. May 2004
住所	Residence Nagoya-Shi, Aichi-Prefecture Japan		
国籍	Citizenship Japanese		
郵便の宛先	Post Office Address 5-11-2, Okute-Cho, Chikusa-Ku Nagoya-Shi, Aichi-Prefecture Japan		

第二共同発明者がいる場合、その氏名	Full name of second joint inventor, if any		
第二共同発明者の署名	日付	Second Inventor's Signature	Date
住所	Residence		
国籍	Citizenship		
郵便の宛先	Post Office Address		

(第三以下の共同発明者についても同様に記載し、署名をすること)
(Supply similar information and signature for third and subsequent joint inventors.)